

**REMARKS/ARGUMENTS**

By way of amendment, claim 16 is hereby amended to correct a problem with the claim dependency of claim 16. No other claims are amended by way of this response.

The Examiner objected to claim 16 because of a problem with the claim dependencies in view of the claims cancelled in Applicant's previous response. The Applicant has amended claim 16 to depend from claim 12, as suggested by the Examiner.

The Examiner rejected claims 1 and 9 under 35 U.S.C. § 112 as failing to comply with the written description requirement because of the feature "stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent." The Applicant respectfully disagrees with the Examiner's rejection. The Examiner's attention is directed towards paragraph 0050 of the description and FIGS. 4A and 4B. It is clear from paragraph 0050 and FIGS 4A and 4B that once the user chooses to send a message (i.e., step 404 of FIG. 4A) that the method progresses to the translation steps shown in FIG. 4B and the monitoring loop (i.e., steps 404-408 of FIG. 4A) is immediately broken, and hence the continual monitoring is stopped. It is submitted that the subject matter of claims 1 and 9 objected to by the Examiner is reasonably conveyed to one skilled in the art in view of the description and the figures and that claims 1 and 9 are in compliance with 35 U.S.C. § 112.

The Examiner rejected claims 1, 7-9, 12, and 15-16 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2002/002452 to Christy et al. ("Christy") in view of U.S. Patent No. 7,027,975 to Pazandak et al. ("Pazandak"). The Examiner further rejected claims 5-6 and 20-25 under 35 U.S.C. § 103(a) as being obvious over Christy in view of Pazandak and in further view of U.S. Patent Publication No.

20040122656 to Abir ("Abir"). The Applicant respectfully disagrees with the Examiner's rejections for the reasons that follow.

Christy concerns network-based translation and searching using a "pivot" or intermediate language that is readily translated into any of numerous languages. Web users specify a desired language and that selection is automatically detected by Web servers, which provide content in accordance therewith. Documents are archived in the pivot language, which serves as an intermediate representation enforcing a precise mode of expressing concepts. Word-match searches based on queries that have also been formulated in the pivot language will retrieve relevant documents with a high degree of reliability, since the concept of interest has been more rigorously formulated.

The Examiner points to paragraphs 0043 and 0069, as well as FIG. 4, for the portion of claim 1 that recites a wireless communications device enabled for communication in a wireless communications network and a method of translating a portion of a text-based communication to be transmitted from the wireless device. However, paragraph 0069 of Christy states that translations are transmitted to the receiving devices. The receiving devices of Christy do not originally transmit the material to be translated to servers and then have the translated material returned to the same receiving devices, as is the case in the presently claimed subject matter. Rather, in Christy, the original material originates from a different client machine. This is consistent with the overall direction of Christy, which concerns a **broadcast** system 400. In contrast, the presently claimed subject matter is concerned with translating portions of a text-based communication to be transmitted **from the wireless device**. As such, Christy teaches in a direction contrary to the claimed subject matter.

The Examiner next points to paragraph 0045 with respect to the claimed feature of receiving and associatively storing with the indicated text a translation thereof, from a first language to a second language. It would be clear to one skilled in the art who reads

the entirety of claim 1 that the translation is received and stored by the wireless device. Paragraph 0045 of Christy discusses a server for the simple translation in the aid of creating WEB pages. Paragraph 0045 does not mention receiving and storing a translation, as the Examiner contends. Even if paragraph 0045 suggests receiving and storing a translation, with which the Applicant disagrees, the translation would be saved on the server, not on a wireless device, as claimed.

The Examiner next points to FIG. 3, items 310, 320, and 340, with respect to the claimed feature of sending the text-based communication after a response has been received for each prompt. Items 310, 320, and 340 show WEB servers and an XML index archive. Contrary to the Examiner's contention, FIG. 3 and the associated description say nothing of receiving responses to prompts and subsequently sending a text-based communication, as claimed.

The Examiner next states that Christy fails to teach the steps of: determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate; stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent; and providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation.

The Applicant agrees with the Examiner in this regard. The Examiner attempts to cure the deficiencies of Christy with reference to Pazandak, which concerns a method for a guided natural language interface. However, at paragraphs 0018 and 0019 of Christy, Christy explicitly outlines the disadvantages of using a natural language approach, in favour of the pivot language approach disclosed by Christy. Therefore, at the very outset, Christy and Pazandak teach in opposite directions are not suitable to be combined in a §

103(a) obviousness rejection. One skilled in the art reviewing both Pazandak and Christy would be discouraged from modifying the teachings of Christy with the teachings of Pazandak.

The Examiner next points to col. 25, lines 40–49 of Pazandak with respect to the claimed feature of determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate. While Pazandak mentions, in passing, a “grammar start symbol”, few details are given about this symbol and Pazandak does not teach or suggest using such a symbol as a trigger symbol for text translation, as claimed.

The Examiner next points to claim 13 of Pazandak in respect of the claimed feature of providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation. However, contrary to the Examiner’s contention, claim 13 of Pazandak merely recites query constituents. Pazandak fails to teach or suggest providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation, as claimed.

It is submitted that claim 1 is not obvious in view of Christy and/or Pazandak, whether taken alone or in combination, because: (a) Christy and/or Pazandak fail to teach or suggest all of the features recited in claim 1; (b) Christy and Pazandak explicitly teach away from each other and are not suitable for combination in a § 103(a) obviousness rejection; and (c) Christy explicitly teaches away from the claimed subject matter and is

not suitable for citation in a § 103(a) obviousness rejection. Independent claims 9 and 12 recite features similar to claim 1 and are patentable for the same reasons. The dependent claims depend either directly or indirectly from the independent claims, recite further patentable subject matter, and are patentable for the same reasons.

Favourable reconsideration and allowance of the application are respectfully requested. Should the Examiner have any questions in connection with the Applicant's submissions, please contact the undersigned.

Respectfully submitted,

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